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12 Attorneys for Plaintiff

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 UNITED STATES OF AMERICA,) No. CR-08-720 SBA
17 Plaintiff,) STIPULATION AND ORDER TO
18 v.) CONTINUE STATUS CONFERENCE
19 MARK MALDONADO,) AND EXCLUDE TIME UNDER THE
20 Defendant.) SPEEDY TRIAL ACT

21 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its
22 attorney, Joshua Hill, and the defendant through his attorney, Lynda Joy Westlund, that the
23 status hearing presently set for May 12, 2009, be continued to June 30, 2009 at 9:00 a.m.

24 The request for a continuance is due to the defendant's retention of new counsel who is
25 presently investigating the case, discussing it with government counsel, and researching possible
26 motions. Defense counsel is also scheduled to begin a trial on June 5, 2009, which will last
27 approximately two weeks. In addition, the undersigned government counsel is newly-assigned
28 to the case. The parties agree that the delay is not attributable to lack of diligent preparation on
the part of either party. For these reasons, the parties request that time under the Speedy Trial
Act be excluded based on the defendant's need for reasonable time necessary for effective

1 preparation, taking into account the exercise of due diligence. The parties agree that the waiver
2 covers all time between March 24, 2009 and June 30, 2009.

3 IT IS SO STIPULATED:

4 Dated: May 7, 2009

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6 /S/
7 LYNDA JOY WESTLUND
8 *Attorney for Maldonado*

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10 Dated: May 7, 2009

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12 /S/
13 JOSHUA HILL
14 Assistant United States Attorney

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ORDER

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23 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
24 matter now scheduled for May 12, 2009 is hereby rescheduled for June 30, 2009 at 9:00 a.m.
25 Based upon the representation of counsel and for good cause shown, the Court also finds that
26 failing to exclude the time between May 12, 2009 and June 30, 2009 would unreasonably deny
27 the parties the reasonable time necessary for effective preparation, taking into account the
28 exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends
of justice served by excluding the time between May 12, 2009 and June 30, 2009 from
computation under the Speedy Trial Act outweigh the best interests of the public and the
defendant in a speedy trial. Therefore, it is hereby ordered that the time between May 12, 2009
and June 30, 2009 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§
3161(h)(7)(A) and (B)(iv).

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23 DATED: May 11, 2009

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HONORABLE SAUNDRA B. ARMSTRONG
United States District Court Judge